

K R A S K I N, L E S S E & C O S S O N, L L C
ATTORNEYS AT LAW
TELECOMMUNICATIONS MANAGEMENT CONSULTANTS

ORIGINAL

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January 9, 2004

Ms. Marlene H. Dortch, Secretary
Office of the Secretary
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554

RECEIVED**JAN - 9 2004****FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY**

Re: Petition for Clarification or, in the Alternative, Waiver, filed November 26, 2003
CC Docket No. 96-128

Dear Ms. Dortch:

On behalf of the Petitioners participating in the above-captioned Petition, we are transmitting the following original signed declarations:

Alma Telephone Company, Inc.
Bay Springs Telephone Company
Brazoria Telephone Company
Clay County Rural Telephone Cooperative, Inc.
Crockett Telephone Company
Delta Telephone Company, Inc.
Empire Telephone Corporation
Foothills Rural Telephone Cooperative Corp., Inc.
Franklin Telephone Company, Inc.

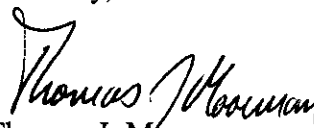
Hinton Telephone Company, Inc.
Margaretville Telephone Company, Inc.
The Middleburgh Telephone Company
National Telephone of Alabama
Peoples Telephone Company
Roanoke Telephone Company
South Central Rural Telephone Cooperative
Corp., Inc.
West Tennessee Telephone Company

When either the Petition or supplement thereto was filed, the declarations bearing a facsimile signature were filed with the Commission as an attachment.

Please associate this attachment with the captioned Petition.

Should you have any questions, please contact this office.

Sincerely,


Thomas J. Moorman

Attachments

No. of Copies rec'd 004
List ABCDE

DECLARATION OF PETITIONING INCUMBENT RURAL TELEPHONE COMPANY

The undersigned company is a rural telephone company that received a memorandum dated August 29, 2003 together with an attached invoice from APCC Services, Inc. on behalf of various Payphone Service Providers ("PSPs") that referenced the Federal Communications Commission decision from October, 2002 addressing compensation obligations to PSPs.

When dial around calls and subscriber toll-free calls are made from payphones located in the Company's service area, we automatically route those calls from our central office to the toll provider (the Regional Bell Operating Company or other Interexchange Carrier) assigned the access code or the 8XX number being dialed. This automatic routing is triggered by the end user dialing a "1" and occurs even where the call is ultimately terminated to an end user located within our service area. Once routed to the toll provider, however, the toll provider controls the routing of the call and how that call will be terminated. Unlike the regional Bell Operating Company, our company is not an intraLATA toll provider.

Accordingly, when calls are made from any pay station in our service area, it is not possible for our company to handle a call that is compensable. Unlike the regional Bell Operating Companies or other local exchange carriers that provide intraLATA services on a compensable basis, our company provides only originating access service to other carriers. With respect to the traffic associated with the invoice received from APCC, we conclude that the compensable calls were handled by the intraLATA toll provider that is assigned to the paystation; no compensable calls were handled by our company.

I do hereby declare under penalties of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief, and that I am authorized by the Company indicated below to provide this Declaration.

Date: DEC 3, 2003


(signature)

BRIAN KETCHUM
(printed name)

V. PRES.
(Title)

Company Name: EMPIRE TEL. CORP.

Company Address: 34 MAIN ST.

PRATTSBURG, NY 14873

DECLARATION OF PETITIONING INCUMBENT RURAL TELEPHONE COMPANY


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I do hereby declare under penalties of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief, and that I am authorized by the Company indicated below to provide this Declaration.

Date: 11-21-03


(signature)

Teddy Solomon
(printed name)

President
(Title)

Company Name:

Alma Telephone Co., Inc.

Company Address:

PO Box 2027

405 W. 11th Street

Alma, GA 31510

DECLARATION OF PETITIONING INCUMBENT RURAL TELEPHONE COMPANY


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Date: 11/21/03


(signature)

Lera Roark
(printed name)

V.P.
(Title)

Company Name:

TEC Companies (6 Telcos)

Company Address:

1309 Louisville Ave
Monroe, La 71201

Bay Springs
Telephone Co.
National Tel. of Ala
Roanoke Telephone
Crockett Telephone
Peoples Telephone
West Tenn. Telephone

DECLARATION OF PETITIONING INCUMBENT RURAL TELEPHONE COMPANY

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I do hereby declare under penalties of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief, and that I am authorized by the Company indicated below to provide this Declaration.

Date: 11-24-03

Gilbert R Rasco
(signature)

Gilbert R Rasco
(printed name)

(Title)

Company Name: Brazoria Telephone Co.

Company Address: 314 W Texas Street
Brazoria, TX, 77422

DECLARATION OF PETITIONING INCUMBENT RURAL TELEPHONE COMPANY

The undersigned company is a rural telephone company that received a memorandum dated August 29, 2003 together with an attached invoice from APCC Services, Inc. on behalf of various Payphone Service Providers ("PSPs") that referenced the Federal Communications Commission decision from October, 2002 addressing compensation obligations to PSPs.

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Accordingly, when calls are made from any pay station in our service area, it is not possible for our company to handle a call that is compensable. Unlike the regional Bell Operating Companies or other local exchange carriers that provide intraLATA services on a compensable basis, our company provides only originating access service to other carriers. With respect to the traffic associated with the invoice received from APCC, we conclude that the compensable calls were handled by the intraLATA toll provider that is assigned to the paystation; no compensable calls were handled by our company.

I do hereby declare under penalties of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief, and that I am authorized by the Company indicated below to provide this Declaration.

Date: December 5, 2003

Bradley W. Welp
(signature)

Bradley W. Welp
(printed name)

General Manager
(Title)

Company Name: Clay County Rural Telephone Cooperative

Company Address: 2 S. West Street

P.O. Box 237

Cloverdale, Indiana 46120

DECLARATION OF PETITIONING INCUMBENT RURAL TELEPHONE COMPANY

The undersigned company is a rural telephone company that received a memorandum dated August 29, 2003 together with an attached invoice from APCC Services, Inc. on behalf of various Payphone Service Providers ("PSPs") that referenced the Federal Communications Commission decision from October, 2002 addressing compensation obligations to PSPs.

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Date: Nov 24, 2003

Tammy L. Torrey
(signature)

Tammy L. Torrey
(printed name)

Revenue Manager
(Title)

Company Name: Delta Telephone Co., Inc.

Company Address: P.O. Box 219

Meadville, MS 39653

DECLARATION OF PETITIONING INCUMBENT RURAL TELEPHONE COMPANY

The undersigned company is a rural telephone company that received a memorandum dated August 29, 2003 together with an attached invoice from APCC Services, Inc. on behalf of various Payphone Service Providers ("PSPs") that referenced the Federal Communications Commission decision from October, 2002 addressing compensation obligations to PSPs.

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Date. 11-24-03


(signature)

Ruth Conley
(printed name)

Controller
(Title)

Company Name: Foothills Rural Telephone Cooperative Corp., Inc.

Company Address: P.O. Box 240

Staffordsville, KY 41256

DECLARATION OF PETITIONING INCUMBENT RURAL TELEPHONE COMPANY

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Date: Nov. 24, 2003

Tammy U. Torrey
(signature)

Tammy U. Torrey
(printed name)

Revenue Manager
(Title)

Company Name: Franklin Telephone Co., Inc

Company Address: P.O. Box 219

Mendville, MS 39653

DECLARATION OF PETITIONING INCUMBENT RURAL TELEPHONE COMPANY

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Date: 11-25-03

Kenneth Doughty
(signature)

Kenneth Doughty
(printed name)

Pres.
(Title)

Company Name: Hinton Telephone Co., Inc.

Company Address: Box 1040

Hinton, OK 73047

DECLARATION OF PETITIONING INCUMBENT RURAL TELEPHONE COMPANY

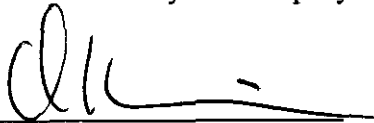
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Date: 11/24/03


(signature)

Douglas Hinkley
(printed name)

Gen Mgr
(Title)

Company Name: Mangartville Telephone Co Inc

Company Address Box 260

Mangartville NY 12455

DECLARATION OF PETITIONING INCUMBENT RURAL TELEPHONE COMPANY

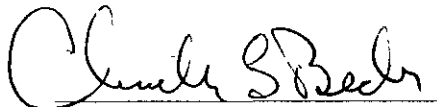
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Date: 11/21/03


(signature)

Christopher L. Becker
(printed name)

Vice President
(Title)

Company Name: The Middleburgh Telephone Co

Company Address: 103 Cliff St

PO Box 191

Middleburgh NY 12122-0191

DECLARATION OF PETITIONING INCUMBENT RURAL TELEPHONE COMPANY

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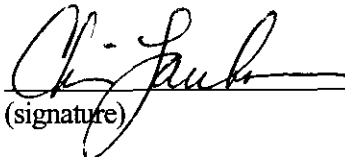
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Date:

11/24/03


(signature)

CHRIS LAWRENCE
(printed name)

Business Director
(Title)

Company Name:

South Central Rural Telephone Cooperative Corp., Inc.

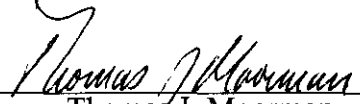
Company Address:

P. O. Box 159

Glasgow, Ky 42142-0159

CERTIFICATE OF SERVICE

I, Thomas J. Moorman, of Kraskin, Lesse & Cosson, LLC, 2120 L Street, NW, Suite 520, Washington, DC 20037, do hereby certify that a copy of the foregoing letter and attachments regarding the "Petition for Clarification or, in the Alternative, Waiver" was served on this 9th day of January 2004, to the following parties:


Thomas J. Moorman

William Maher, Chief
Wireline Competition Bureau
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554
(Hand Delivered)

Qualex International
445 12th Street, SW
Room CY-B402
Washington, DC 20554
(Hand Delivered)

Robert F. Aldrich
Dickstein Shapiro Morin & Oshinsky, LLP
2101 L Street, N.W.
Washington, D.C. 20037-1526